

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**RICHARD WAYNE WRIGHT, SR.,**

**Plaintiff,**

**V.**

SYLVESTER NETTLES, *et al.*,

## Defendants.

**CIVIL ACTION NO.  
2:05-CV-439-WHA-CSC**

**DEFENDANTS' MOTION FOR AN EXTENSION OF TIME**  
**FOR SUBMISSION OF THEIR SPECIAL REPORT AND ANSWER**

COMES NOW Defendants, PRISON HEALTH SERVICES (“PHS”), TAHIR SIDDIQ, M.D., KATHERINE TAYLOR, LPN, JOAN HICKS, LPN, CELESTE HUNTER, LPN, SAMUEL RAYAPATI, M.D., and NETTIE BURKS, HAS (collectively, the “Defendants”), and file this Motion for an Extension of Time for Submission of their Special Report and Answer. Defendants respectfully request an additional sixty (60) days to submit their Special Report, required evidentiary materials (including the affidavits of all pertinent individuals) and Answer. If this motion is granted, the new deadline would be Monday, November 14, 2005. As grounds for this Motion, Defendants state as follows:

1. On July 27, 2005, an Amended Complaint was filed pro se by Richard Wayne Wright, Sr. (the “Plaintiff”), an inmate at Ventress Correctional Facility, alleging that he was denied proper medical care and otherwise treated improperly by PHS employees, corrections officers and other inmates. In his Amended Complaint, Plaintiff named fifty-two (52) total defendants.

2. On August 4, 2005, the Court entered an order directing the fifty-two (52) defendants in this case to submit their Special Report, required evidentiary materials and Answer on or before September 13, 2005.

3. Since the time of entry of the order, undersigned counsel has diligently attempted to contact their known and potential clients to obtain the sworn statements of “all persons having knowledge of the subject matter of the amended complaint” in order to fully comply with the Court’s August 4, 2005 Order. However, because Plaintiff named more than fifty-two (52) individuals who may have knowledge of the subject matter of his Amended Complaint, undersigned counsel has not and likely will not be able to contact all of their known or potential clients and obtain their sworn affidavits as required by the Court within the time permitted.

4. Defendants’ efforts have been further complicated by the fact that the more than fifty-two (52) individuals named in the Amended Complaint reside or are employed at various correctional facilities. Because of the sheer number of medical personnel identified in the Plaintiff’s Complaint and the locations of these individuals, undersigned counsel has not yet even had time to confirm which specific individuals they will represent.

5. Moreover, Plaintiff failed to correctly and accurately identify the defendants listed in his Amended Complaint. In an effort to resolve this problem, undersigned counsel is attempting to locate the individuals named as defendants to confirm that the individuals actually exist and will be represented by undersigned counsel in this case.

6. In short, undersigned counsel is working with all possible speed to fully and accurately comply with this Court's August 4, 2005 Order.

WHEREFORE, premises considered, Defendants Prison Health Services, Tahir Siddiq, M.D., Katherine Taylor, LPN, Joan Hicks, LPN, Celeste Hunter, LPN, Samuel Rayapati, M.D., and Nettie Burks, HAS, respectfully request that this Court grant an extension of time, allowing Defendants time to file their Special Report, required evidentiary materials and Answer on or before Monday, November 14, 2005.

Respectfully submitted this 30th day of August, 2005.

/s/ William R. Lunsford

One of the Attorneys for Defendants,  
Prison Health Services, Tahir Siddiq, M.D.,  
Katherine Taylor, LPN, Joan Hicks, LPN,  
Celeste Hunter, LPN, Samuel Rayapati, M.D.,  
and Nettie Burks, HSA

**OF COUNSEL:**

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Huntsville, Alabama 35801  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been served by placing a copy of the same in the United States Mail, postage prepaid, to the following:

Richard Wayne Wright, Sr.  
AIS# 187140  
P.O. Box 767  
Clayton, AL 36016-0767

This the 30th day of August, 2005.

/s/ William R. Lunsford  
Of Counsel